

Washington chief justice defends equity push, flags AI concerns

Debra Stephens says Washington's top court will continue confronting systemic bias while navigating threats like artificial intelligence and eroding institutional trust.

WA State Standard

April 12, 2025

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Washington state Chief Justice Deborah Stephens on the Inside Olympia set with host Austin Jenkins. (Photo courtesy of TVW)

This article was first published by [TVW](#).

Despite growing national backlash against diversity, equity and inclusion efforts, Washington Supreme Court Chief Justice Debra Stephens says the state's high court remains committed to examining its own practices and advancing equity in the justice system.

In an interview on TVW's *Inside Olympia*, Stephens told host Austin Jenkins that Washington's judiciary has long worked to identify and correct systemic bias in court

rules, precedents and access. That effort intensified in 2020 after the murder of George Floyd, when the justices issued a rare public letter acknowledging that “the legal community must recognize that we all bear responsibility for the ongoing injustice and inequality.”

“Just because something is normal doesn’t mean it was ever neutral,” Stephens said. “You’ve got to go back and look at the scale. And just because something is the way we’ve always done it doesn’t mean it was fair.”

As the U.S. Supreme Court and federal courts draw intense public scrutiny amid high-profile lawsuits involving President Donald Trump, Stephens said she is closely watching public sentiment. She acknowledged that trust in institutions, including the judiciary, is declining, but emphasized that courts must continue to be viewed as legitimate and independent.

“Our democracy is a fragile thing,” she said. “The system works when people are willing to use the system to work.”

Stephens co-chairs a national committee on judicial independence and says she is alarmed by rhetoric that seeks to delegitimize court decisions, especially when they come under political fire. She stressed that Washington’s justices do not run as partisans and must instead earn public confidence through experience, temperament and integrity—not campaign promises.

“It’s hard to persuade people when your best campaign pitch is, ‘Vote for me and I’ll never do anything special for you, because I give everybody equal consideration,’” she said.

The chief justice also discussed efforts underway to improve access to justice through public defense reform. She noted that many counties in Washington still lack sufficient resources to ensure fair representation for people charged with crimes, despite the constitutional guarantee of legal counsel.

A proposed rule before the court would reduce the number of cases assigned to public defenders, following years of concern over attorney workloads and systemic inequities. Stephens said the effort builds on a framework the court first adopted in 2012 and reflects a broader goal of redressing historical injustice.

“We need to look at what we criminalize, how we prioritize it, and whether people are getting the representation they are entitled to,” she said. “The burden of doing things the way we’ve always done them doesn’t fall equally across communities.”

The court has also backed pilot programs to improve jury diversity and boost juror compensation. In Pierce County, a test program raises daily juror pay to \$100 — a tenfold increase over the state minimum — and is already showing a more

representative pool. “People who were not able to serve now have the ability to serve,” Stephens said.

Despite the national political climate, Stephens struck a hopeful tone about the future of the judiciary, saying that honest dialogue and diverse representation in decision-making roles can build a stronger legal system.

“When we really talk to one another... and assume the best intention, good things happen,” she said.

Looking ahead, Stephens said artificial intelligence is rapidly transforming the legal landscape—but warned it could deepen existing disparities if not handled carefully.

She said Washington courts are exploring ways to responsibly incorporate AI tools, such as front desk support, translation services and data analysis, while safeguarding privacy and due process. But she cautioned against relying on unregulated systems, particularly in legal proceedings.

“Bad inputs, bad outputs—and it compounds that and deepens biased learning,” she said.

AI’s growing role raises questions about data security, access to legal resources, and the integrity of evidence, especially as deepfake videos and fabricated documents become more sophisticated.

“You don’t want to run a draft of an opinion through ChatGPT,” she insisted.

Stephens, now in her second nonconsecutive term as chief justice, said her priorities remain rooted in fairness, transparency and trust. “I have such incredible optimism for where we can go,” she said, “and for all of the commitment I see in people around me.”

This article was first published by TVW, Washington’s Public Affairs Network, providing unedited coverage of the state legislature and state government, on statewide cable TV and online at [tvw.org](https://www.tvw.org). It also produces original interview shows, including Inside Olympia and The Impact. A media nonprofit, it exists to give Washingtonians access to their state government, increase civic access and engagement, and foster an informed citizenry.